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09/548,024	04/12/2000	Masashi Eguchi	81800-0121	5398

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EXAMINER	
CARTER, TIA A	
ART UNIT	**PAPER NUMBER**
2626	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/548,024	EGUCHI, MASASHI	
	Examiner	Art Unit	
	Tia A Carter	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 November 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *9-12-01*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments, see pages 6-8, filed November 17, 2004, with respect to claims 1-20 have been fully considered and are persuasive. The rejections of claims 1-20 have been withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10 and 13-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Maeda (US. 6437873).

Regarding claim 1, Maeda network facsimile machine (internet fax apparatus 1) connectable to PSTN (telephone network 3) and a second network (Internet 4) and adapted to receive fax data from a remote machine (internet fax 2) over the PSTN (3) and deliver the fax data to recipients on the second network (4) (fig. 1, col. 3, lines 6-13 and col. 7, lines 31-34), the network facsimile machine (1) comprising:

A capabilities storage unit (RAM 12) that stores data for delivery recipients on said second network (fig. 1, col. 3, lines 1-2 and lines 23-25) and stores corresponding reception capabilities for said delivery recipients (fig. 6, col. 5, lines 60-67 and col. 6, lines 1-13);

A communication control unit (CPU 5) that receives delivery recipient-specifying data over the PSTN (3), looks up this data in said capabilities storage unit (RAM 12) (fig. 6, col. 5, lines 64-67), and transmits a signal over the PSTN (3) declaring reception capabilities of a delivery recipient specified by the recipient-specifying data (fig. 6, col. 6, lines 18-35).

Regarding claim 2, Maeda discloses the network facsimile machine of claim 1 wherein the delivery recipient-specifying data is a sub-address (SUB) (fig. 4, col. 5, lines 18-24).

Regarding claim 3, Maeda discloses the network facsimile machine of claim 1 wherein the delivery recipient-specifying data is a Transmitting Subscriber Identification (TSI) signal (fig. 4, col. 5, lines 18-24).

Regarding claim 4, Maeda the network facsimile machine of claim 1 wherein at least one of the delivery recipients on the second network (4) is a terminal device (fig. 1, col. 3, lines 6-13 and col. 7, lines 32-35).

Regarding claim 5, Maeda discloses the network facsimile machine of claim 1 wherein the delivery recipient specified by the recipient-specifying data is a terminal device (1) connected to said second network (4) (fig. 4, col. 3, lines 6-13 and col. 7, lines 32-35).

Regarding claim 6, Maeda discloses the network facsimile machine of claim 2 wherein the capabilities storage unit (12) stores addresses of the delivery recipients on the second network (4), the recipient –specifying data, and reception capabilities of said delivery recipients in predetermined correspondence (fig. 6, col. 5, lines 60-67).

Regarding claim 7, Maeda discloses the network facsimile machine of claim 3 wherein the capabilities storage unit (12) stores addresses of the delivery recipients on the second network (4), the recipient-specifying data, and reception capabilities of said delivery recipients in predetermined relationship (fig. 6, col. 5, lines 60-67).

Regarding claim 8, Maeda discloses the network facsimile machine of claim 1 wherein at least one of the delivery recipients on the second network is an output device (internet facsimile –1) (fig. 1, col. 3, lines 6-10 and lines 14-15; col. 7, lines 31-34).

Regarding claim 9, Maeda discloses the network facsimile machine of claim 1 wherein the delivery recipient specified by the recipient-specifying data is an output

device connected to said second network (4) (fig. 1, col. 3, lines 6-10 and lines 14-15; col. 7, lines 31-34).

Regarding claim 10, Maeda discloses the network facsimile machine of claim 1 wherein the reception capabilities include resolution (fig. 1, col. 3, lines 33-38; fig. 6, col. 6, lines 1-5).

Regarding claim 13, Saito et al. discloses the network facsimile machine of claim 1 wherein the second network is a LAN (fig. 1, col. 2, line 66).

Regarding claim 14, Maeda discloses a communication method for use with a network facsimile machine (1) connected to PSTN (3) and a second network (4) at least one recipient being connected to the second network (4), (fig. 1, col. 4, lines 18-35) comprising the steps of:

(A) responding to a call from a remote facsimile machine over PSTN (fig. 7, col. 10, lines 23-29);

(B) receiving delivery recipient-specifying data from the remote facsimile machine over the PSTN (fig. 1, col. 3, lines 6-13);

(C) locating internally stored reception capabilities relating to the received delivery recipient-specifying data and determining reception capabilities of a designated delivery recipient based on the received recipient-specifying data and on the internally stored reception capabilities (ram 12) (fig. 6, col. 5, lines 60-67;

(D) transmitting a signal to the remote facsimile machine over the PSTN declaring the reception capabilities of the designated recipient (fig. 6, col. 6, lines 19-35).

(E) receiving facsimile data from the remote facsimile machine(2) over the PSTN (3) (fig. 6, col. 5, lines 64-67); and

(F) delivering the received facsimile data to the designated delivery recipient over the second network (4) (fig. 6, col. 6, lines 18-35).

Regarding claim 15, Maeda discloses the network facsimile machine of claim 14, wherein the delivery recipient-specifying data is a sub-address (SUB) (fig 4, col. 5, lines 18-24).

Regarding claim 16, Maeda discloses the network facsimile machine of claim 14 wherein the delivery recipient-specifying data is a Transmitting Subscriber Identification (TSI) signal (fig. 4, col. 5, lines 18-24).

Regarding claim 17, Maeda discloses the network facsimile machine of claim 14 wherein designated delivery recipient is a terminal device (2) connected to said second network fig. 1, col. 3, lines 6-13; col. 7, lines 32-35).

Regarding claim 18, Maeda discloses the network facsimile machine of claim 14 wherein designated delivery recipient is an output device (7) connected to said second network (fig. 1, col. 3, lines 6-10 and lines 14-15; col. 7, lines 31-3.4)).

Regarding claim 19, Maeda discloses the network facsimile machine of claim 14 wherein the reception capabilities include resolution (fig. 1, col. 3, lines 33-38 and fig. 6, col. 6, lines 1-5).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 11-12 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda (US. 6437873) in view of Oseto (US. 6097797).

Regarding claim 11, Maeda discloses the network facsimile machine of claim 1.

Maeda do not disclose wherein when broadcasting to plurality of delivery recipients on the second network, the reception capabilities of a delivery recipient with the lowest reception capability is declared.

Oseto discloses wherein when broadcasting to plurality of delivery recipients on the second network, the reception capabilities of a delivery recipient with the lowest reception capability is declared (fig. 2, col. 7, lines 13-17).

It would have been obvious to one skilled in the art at the time of the invention to modify Maeda wherein the range of reception capabilities are identified for precise matching of a specific device to prevent error during the transmission process.

Regarding claim 12, Maeda discloses the network facsimile machine of claim 1

Maeda do not disclose wherein when broadcasting to plurality of delivery recipients on the second network, the reception capabilities of a delivery recipient with the highest reception capability is declared.

Oseto discloses wherein when broadcasting to plurality of delivery recipients on the second network, the reception capabilities of a delivery recipient with the highest reception capability is declared (fig. 2, col. 7, lines 17-20).

It would have been obvious to one skilled in the art at the time of the invention to modify Saito et al. wherein the range of reception capabilities are identified for precise matching of a specific device to prevent error during the transmission process.

Regarding claim 20, Maeda discloses the communication method of claim 14.

Maeda do not disclose discloses wherein a plurality of delivery recipients are designated by the recipient-specifying data at step B, reception capabilities of each of the plurality of delivery recipients are determined at step, and a signal declaring the reception capabilities of a delivery recipient with the lowest reception capabilities is transmitted to the remote facsimile machine over the PSTN at step D.

Oseto discloses wherein a plurality of delivery recipients are designated by the recipient-specifying data at step B (fig. 11, col. 13, lines 31-41), reception capabilities of each of the plurality of delivery recipients are determined at step C (fig. 7, col. 10, lines 45-67 and col. 11, lines 1-14), and a signal declaring the reception capabilities of a delivery recipient with the lowest reception capabilities is transmitted to the remote facsimile machine over the PSTN at step D (fig. 7, col. 10, lines 23-44).

It would have been obvious to one skilled in the art at the time of the invention to modify Saito et al. wherein the range of reception capabilities are identified for precise matching of a specific device to prevent error during the transmission process.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sato et al. (US. 6230189) and Shibata (US. 6825955) are cited to show related art with respect to facsimile transmission.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (7:00-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tia A Carter
Examiner
Art Unit 2626

TAC
2/17/2005

KA Williams

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SUPERVISORY PATENT EXAMINER